

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 42 final

Brussels, 4 February 1983

Recommendation for a

COUNCIL DECISION

amending the Temporary Arrangement for a concerted discipline between
Austria and the European Economic Community concerning
reciprocal trade in cheese

(submitted to the Council by the Commission)

COM(83) 42 final

11. 12. 1950

EXPLANATORY MEMORANDUM

1. It is laid down in paragraph 6 of the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese that the two parties may consult each other at any stage concerning the operation of the Arrangement.
2. During consultations held on this subject between an Austrian delegation and a Community delegation on 8 December 1982, it was decided that certain provisions of the Arrangement should be changed to bring it more closely into line with actual market requirements.

In order to achieve this, it was considered necessary to change the quantities of certain categories of cheese which can be imported into Austria and the Community, and also to suspend the arrangements concerning observance of the prices at present applied in Austria.

3. The Article 113 Committee, meeting in Geneva on 8 December 1982, stated that it was in favour of the above outcome of the consultations.

ANNEX 1

RECOMMENDATION FOR A COUNCIL DECISION

amending the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community,

Having regard to the Recommendation from the Commission;

Whereas it has been considered desirable to amend some of the provisions of the Arrangement for a concerted discipline in order to bring it more closely in line with actual market requirements;

Whereas the Commission initiated consultations with Austria on this subject and an agreement satisfactory to both parties was reached,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between Austria and the European Economic Community in the form of an exchange of letters is hereby approved on behalf of the Community. The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels,

For the Council
The President

APPROVED MINUTES

Upon conclusion of the consultations between the Austrian delegation and the delegation of the Commission of the European Communities, the two delegations agreed to present the attached exchanges of letters to their respective authorities for approval.

Geneva, 8 December 1982

For the delegation
of the Commission of
the European Communities

For the
Austrian delegation

COMMISSION
of the
EUROPEAN COMMUNITIES

Brussels,

DIRECTORATE-GENERAL
FOR AGRICULTURE

The Director-General

Sir,

I have the honour to refer to the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese, signed in Brussels on 21 October 1981.

- I. At the consultations held under paragraph 6 of the Arrangement it was considered desirable to change some of the Arrangement's provisions in order to bring it more closely into line with actual market requirements. Thus, it was thought necessary to change the quantities laid down in respect of certain categories of cheese in paragraphs 3(a) and 3(b) of the Arrangement and also to suspend the price observance arrangements laid down in paragraph 2 of the Annex to the Arrangement.
- II. By common accord, the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese is hereby amended as follows:
 - 1) Paragraph 3 shall be replaced by the following:

"3. They agree that, for the period from 1 January 1983 to 31 December 1984, for the cheeses listed below, the quantities traded each year and the import duties to be levied on importation may not exceed the following levels:

Head of the Austrian
Mission to the EEC,
Avenue des Klauwaerts 35,
1050 BRUSSELS

a) ON IMPORTATION INTO AUSTRIA:

- i) Cheese manufactured from cow's milk, falling within subheading 04.04 A of the Austrian Customs Tariff, originating in and coming from the Community, and accompanied by an approved certificate of quality and origin:

	<u>Quantity</u>	<u>Import duty</u>
Processed cheese	2 600 t	S 760/100 kg
Blue-veined cheese	850 t	S 560/100 kg
Danbo, Edam, Elbo, Finbo, Fontal, Gouda,)	
Havarti, Malbo, Maribo, Mimolette,)	
Samso, Tybo) 700 t	S 560/100 kg
Tilsit)	S 460/100 kg
Emmentaler, Gruyère		
Butterkäse, Esrom, Italico, Kernheim, Saint-)	S 460/100 kg
Nectaire, Saint-Paulin, Taleggio,)	
Cheddar and other cheeses not included)	
in the above of a water content of the) 850 t	S 560/100 kg
non-fatty matter not exceeding 62%,)	
with the exception of those falling)	
within tariff subheadings 04.04 A I a),)	
b) and c) of the Austrian Customs Tariff)	

- ii) The above cheeses of Community origin may not be imported into Austria unless accompanied by the certificate referred to in paragraph 3(a)(i) above.

b) ON IMPORTATION INTO THE COMMUNITY:

Cheese falling within CCT heading No 04.04

originating in and coming from Austria,

accompanied by an approved certificate.

	<u>Quantity</u>	<u>Import duty</u>
Emmentaler, Gruyere, Sbrinz, Bergkäse, not grated or powdered, of a minimum fat content of 45% by weight, in the dry matter, matured for at least three months, falling within CCT subheading 04.04 A:		
Whole cheeses	5 000 t (+)	18.13 ECU/100 kg
pieces packed in vacuum or in inert gas with rind on at least one side, of a net weight of not less than 1 kg but less than 5 kg	3 000 t (+)	18.13 ECU/100 kg
Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale, of a fat content, by weight, in the dry matter, not exceeding 56%, falling within CCT subheading 04.04 D	3 750 t	36.27 ECU/100 kg
Smoked processed cheese, of a fat content, by weight, in the dry matter, of not less than 40% but not exceeding 48%, falling within CCT subheading 04.04 D I a (++)	350 t	Full levy
Unpressed Tilsit, matured for not less than one month, and Butterkäse, falling within CCT subheading 04.04 E I b)2	2 200 t	55 ECU/100 kg
Blue-veined cheese falling within CCT subheading 04.04 C		
Whole Edam cheeses, of a fat content, by weight in the dry matter, of not less than 40% and of less than 48%, of a net weight not exceeding 350 g ("Geheimratskäse"), falling within CCT subheading 04.04 E I b 2	200 t	50 ECU/100 kg
"Fetta" and "Kephalo-Tyri" cheeses, made from cow's milk, of a fat content, by weight, in the dry matter, of less than 48% falling within CCT subheading 04.04 E I b) 2		
Other cheeses (++)	200 t	Full levy

(+) Up to 25% of the quantities allocated for these categories of cheeses are interchangeable.

(++) These cheeses do not have to be accompanied by an approved certificate.

- 2) The following sentence shall be added to paragraph 1(b) of the Annex to the Arrangement:

"It will also communicate, every quarter, representative market prices for certain types of cheeses covered by the Arrangement".

- 3) Application of the provisions arising from the following phrase in the first sentence of paragraph 2 of the Annex to the Arrangement:

"On production of a declaration by the importer stating that the import prices correspond to the free-at-Austrian frontier prices agreed on by the Austrian authorities and the Community (accompanied by invoice as proof)" shall be suspended.

III. All the other provisions of the Arrangement shall remain unchanged.

I should be grateful if you would confirm that you are in agreement with the content of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.

Sir,

I have the honour to confirm my agreement with the content of your letter of _____, which reads as follows:

"Sir,

I have the honour to refer to the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese, signed in Brussels on 21 October 1981.

- I. At the consultations held under paragraph 6 of the Arrangement it was considered desirable to change some of the Arrangement's provisions in order to bring it more closely into line with actual market requirements. Thus, it was thought necessary to change the quantities laid down in respect of certain categories of cheese in paragraphs 3(a) and 3(b) of the Arrangement and also to suspend the price observance arrangements laid down in paragraph 2 of the Annex to the Arrangement.
- II. By common accord, the Temporary Arrangement for a concerted discipline between Austria and the European Economic Community concerning reciprocal trade in cheese is hereby amended as follows:
 - 1) Paragraph 3 shall be replaced by the following:

"3. They agree that, for the period from 1 January 1983 to 31 December 1984, for the cheeses listed below, the quantities traded each year and the import duties to be levied on importation may not exceed the following levels:

a) ON IMPORTATION INTO AUSTRIA:

- i) Cheese manufactured from cow's milk, falling within subheading 04.04 A of the Austrian Customs Tariff, originating in and coming from the Community, and accompanied by an approved certificate of quality and origin:

	<u>Quantity</u>	<u>Import duty</u>
Processed cheese	2 600 t	S 760/100 kg
Blue-veined cheese	850 t	S 560/100 kg
Danbo, Edam, Elbo, Finbo, Fontal, Gouda,)	
Havarti, Malbo, Maribo, Mimolette,)	
Samso, Tybo) 700 t	S 560/100 kg
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Nectaire, Saint-Paulin, Taleggio,)	
Cheddar and other cheeses not included)	
in the above of a water content of the) 850 t	S 560/100 kg
non-fatty matter not exceeding 62%,)	
with the exception of those falling)	
within tariff subheadings 04.04 A I a),)	
b) and c) of the Austrian Customs Tariff)	

- ii) The above cheeses of Community origin may not be imported into Austria unless accompanied by the certificate referred to in paragraph 3(a)(i) above.

b) ON IMPORTATION INTO THE COMMUNITY:

Cheese falling within CCT heading No 04.04
originating in and coming from Austria,
accompanied by an approved certificate.

	<u>Quantity</u>	<u>Import duty</u>
Emmentaler, Gruyere, Sbrinz, Bergkäse, not grated or powdered, of a minimum fat content of 45% by weight, in the dry matter, matured for at least three months, falling within CCT subheading 04.04 A:		
Whole cheeses	5 000 t (+)	18.13 ECU/100 kg
pieces packed in vacuum or in inert gas with rind on at least one side, of a net weight of not less than 1 kg but less than 5 kg	3 000 t (+)	18.13 ECU/100 kg
Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyere and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale, of a fat content, by weight, in the dry matter, not exceeding 56%, falling within CCT subheading 04.04 D	3 750 t	36.27 ECU/100 kg
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- 2) The following sentence shall be added to paragraph 1(b) of the Annex to the Arrangement:

"It will also communicate, every quarter, representative market prices for certain types of cheeses covered by the Arrangement".

- 3) Application of the provisions arising from the following phrase in the first sentence of paragraph 2 of the Annex to the Arrangement:

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III. All the other provisions of the Arrangement shall remain unchanged.

I should be grateful if you would confirm that you are in agreement with the content of this letter.

Please accept, Your Excellency, the assurance of my highest consideration."

Please accept, Sir, the assurance of my highest consideration.